Response to Office Action of December 10, 2004

Attorney Docket: EWMRI-001B

Amendments to the Claims:

Please amend Claim 1 and cancel Claim 12 without prejudice.

This listing of claims will replace all prior versions and listings of claims in the application

WHAT IS CLAIMED IS:

1. (Currently Amended) A process for deriving an extract from Loranthus comprising the steps:

- a) providing a portion of a species of *Loranthus* possessing concerntrations concentrations of quercetin and avicularin therein;
- b) crushing said Loranthus provided in step (a);
- c) mixing said crushed *Loranthus* in step (b) with an ethanol solution to form an admixture and heating said admixture;
- d) filtering said admixture heated in step (c) to produce a filtrate;
- e) heating said filtrate produced in step (d) to produce a first cream extract;
- f) mixing said cream extract produced in step (e) with distilled water to form a first extract solution;
- g) filtering said first extract solution to produce a resultant filtrate;
- h) purifying said filtrate produced in step (g) to produce a purified extract; and
 - i) concentrating said purified extract produced in step (h).
- 2. (Original) The method of Claim 1 wherein in step (b), said Loranthus is crushed to have a particulate size capable of passing through a 40 US mesh sieve.
- 3. (Original) The method of Claim 1 wherein in step (c), said ethanol solution is added to said crushed *Loranthus* in a ratio of approximately 5:1 by weight.
- 4. (Original) The method of Claim 1 wherein in step (c) said ethanol solution comprises approximately 95% by weight food-grade ethanol or higher.
- 5. <u>-(Original)</u> The method of Claim 1 wherein in step (c), said admixture is heated to a temperature no greater than 80°C.

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- 6. (Original) The method of Claim 1 wherein in step (d), said heated extract is filtered such that a resultant filtrate is produced having a density no greater than 0.9 grams per cubic centimeter.
- 7. (Original) The method of Claim 1 wherein in step (d), said heated extract is filtered such that a resultant filtrate is produced having a density between 0.8 grams per cubic centimeter to 0.9 gm/cm³.
- 8. (Original) The method of Claim 1 wherein in step (f), said solution is formulated such that said cream extract comprises up to approximately 20% by weight of said solution.
- 9. -(Original) The method of Claim 1 wherein in step (f), said solution is formulated such that said cream extract comprises between approximately 15% to 20% by weight of said solution.
- 10. (Original) The method of Claim 1 wherein in step (g), said solution produced in step (f) is filtered by passing said solution through a 100 screen mesh filter.
- 11. (Original) The method of Claim 1 wherein in step (h) said purification of said filtrate comprises introducing said filtrate to a chromatography column, washing said column with distilled water, and eluting said filtrate with an ethanol solution.

12. (Carcelled)

(Original) The method of Claim 11 wherein said chromatography column is washed with distilled water in a volume relative said filtrate in a ratio of approximately 3:1.

(Original) The method of Claim 11 wherein said ethanol solution comprises at least 50% by weight ethanol.

(Original) The method of Claim 14 wherein said volume of said ethanol utilized to elute said extract is approximately 3-5 times the volume of said chromatography column.

16. (Original) The method of Claim 1 wherein in step (i), said extract is concentrated via vacuum drying.

1716 (Original) The method of Claim 1 further comprising the step:

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- a) crushing said concentrated extract produced in step (i) and packaging said extract.
- 18. (Withdrawn) The extract produced by Claim 1.
- 19. (Withdrawn) The extract produced by Claim 16.
- 20. (Withdrawn) A method for treating an allergic reaction in a human subject, said method comprising the step:
 - a) administering an extract of *Loranthus* in a therapeutic amount to said human subject, said *Loranthus* extract having at least two compounds selected from the group consisting of quercetin and avicularin.
- 21. (Withdrawn) The method of Claim 20 wherein said extract is administered orally in an amount up to 300 mg.
- 22. (Withdrawn) The method of Claim 21 once said extract is administered in an amount between approximately 100 mg to 300 mg.
- 23. (Withdrawn) The method of Claim 20 wherein said extract is administered as part of a food product.
- 24. (Withdrawn) The method of Claim 23 wherein said food product is selected from the group consisting of fruit-based snack products, grain-based snack products, fortified fruit drinks, fortified dairy products, candy and confectionaries.
- 25. (Withdrawn) The method of Clarm 1 wherein in step (c), said admixture is heated for up to two hours.
- 26. (Withdrawn) The method of Claim 21 wherein said admixture is heated from one to two hours.
- 27. (Withdrawn) The method of Claim 1 wherein step (c) further comprises adding an additional portion of an ethanol solution to said seated admixture and heating the resultant admixture.
- 28. (Withdrawn) The method of Claim 27 wherein said resultant admixture is heated for up to two hours.

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- 29. (Withdrawn) The method of Claim 28 wherein said resultant admixture is heated for approximately one to two hours.
- 30. (Withdrawn) The method of Claim 25 wherein said additional portion of ethanol solution comprises a least approximately 95% ethanol.
- 31. (Withdrawn) The method of Claim 25 wherein said resultant admixture is heated to a temperature of no greater than 80°C.
- 32. (Withdrawn) An antihistamine composition comprising an extract of *Loranthus*, said composition comprising at least one compound selected from the group consisting of quercetin and aviculatin.
- 17 33 (Original) The method of Claim 1 wherein in step (a), said species of Loranthus is selected from the group consisting of Loranthus parasiticus (l.) Merr and Loranthus chinesis.
- 34. (Withdrawn) The nethod of Claim 20 wherein said extract of *Loranthus* is derived from a species of *Loranthus* selected from the group consisting of *Loranthus* parasiticus (1.) Merr and Loranthus chinesis.
- 35. (Withdrawn) The antihistamine composition of Claim 32 wherein said extract of *Loranthus* is derived from a species of *Loranthus* selected from the group consisting of *Loranthus parasiticus* (1.) Merrand Loranthus chinesis.